

Remarks

This Response is considered fully responsive to the Final Office Action mailed January 22, 2007. The Specification has been amended to correct a minor typographical error. Claims 1-27 were pending in the application. Claims 1-27 stand rejected. In this Response, no claims are canceled and no new claims are added. Claim 22 has been amended to correct a minor typographical error. Claim 2 has been amended to clarify that the method further includes “ending the VoIP call.” Applicant respectfully requests entry of the amendments. Claims 1-27 are now pending in the application. Reexamination and reconsideration are requested.

Rejections Under 35 U.S.C. § 102

The Examiner has rejected claims 1-10, 13, 14, 19, 22, 26, and 27 under 35 U.S.C. § 102(e) as being anticipated by Falck, et al., U.S. Patent No. 6,360,265 (“Falck”). The Applicant respectfully traverses the rejection for at least the following reasons.

As presently understood by the Applicant, Falck generally relates to a method and apparatus for determining the best available destination multi-media server in a private network to process an incoming call. *Falck*, col. 3, ll. 22 – 37. Using a NAT, calls are distributed from one (the NAT) to many multi-media servers. *Id.* According to Falck, it is desirable to perform the IP datagram delivery without the use of a typical H.323 proxy. *Id.*, col. 2, ll. 62 – 65. The NAT recognizes a well-known port associated with an application and directs the multi-media call to the assigned destination multi-media server based on the well-known port. *Id.* col. 5, ll. 54 – 67.

By contrast, the present application relates to systems and methods for routing media ***through*** a VoIP network using a call signaling and media ***proxy***. The VoIP network of the present Application refers to a managed, retail VoIP network. See Application, [0017], [0022]. The VoIP network is interconnected with, and provides communication to and from, one or more ISPs and/or PSTNs. *Id.* at [0022] – [0026]. As such, media packets associated with calls are routed through the managed VoIP network. When a client wishes to make a call to an end user connected to the PSTN, for example, a retail VoIP system selects one of a plurality of call signaling and media proxy servers that reside in the VoIP network. *Id.* at [0031]. The call is set up through the selected call signaling and media proxy server. *Id.* [0035] – [0037].

A call signaling and media proxy refers to a device that is typically set up at network interconnection points or otherwise strategic/logical points within a network that allow media to

be *steered* to and from customers and to and from vendors. *Id.* at [0028]. The call signaling proxy also acts as an *entry point into a least cost routing mechanism* of the VoIP network. *Id.* at [0035]. A selected call signaling and media proxy server will facilitate setting up the call through the VoIP network by calling a selected gateway of the VoIP network. *Id.* at [0035]. In this manner, voice media traffic between a client device and the VoIP gateway can “remain on the VoIP network for the longest possible portion of its travel.” *Id.* at [0028].

Turning to the specific claims rejections, independent claims 1, 19 and 22 include, among other elements, the following limitations, respectively:

Claim 1 “...selecting a call signaling and media *proxy* in a VoIP network through which to route media packets associated with the VoIP call;”

Claim 19 “...selecting a call signaling and RTP media *proxy* through which to route media associated with the VoIP call;”

Claim 22 “...wherein the call signaling and media proxy is selected from a plurality of call signaling and media *proxies* in the VoIP network;”

In each of the independent claims a call signaling and media proxy is selected for routing media through the VoIP network. In the Office action, it is asserted that the foregoing elements are taught at col. 3, lines 30 – 36 of Falck. These lines are reproduced here:

“In accordance with another aspect of the present invention, incoming multimedia traffic from the Internet is addressed to the globally unique IP address identifying the NAT, not the many addresses of the number of H.323 servers contained in the private network. The "one-to-many distribution" results from the directing of a multimedia call from the globally unique address identifying the NAT to any one of the many private network addresses identifying any one of the H.323 multi-media servers in the *private network*. When a call comes into the NAT requesting a multimedia service, the NAT determines the best available server to *handle* the incoming call based upon an algorithm at an intermediate device. The multi-media call will then be distributed from the "one," the NAT, to one of the "many" H.323 servers.” [emphasis added]

In the foregoing section, Falck describes a NAT device that selects among multi-media servers in a private network to handle a call. Falck’s servers are “*destination* H.323 multi-media server[s] (110, 112, 114)”, rather than proxy server’s. *Falck*, col. 5, ll. 14 – 19 (emphasis added). The NAT “chooses a multi-media server to *terminate* the TCP connection.” *Id.*, col. 6, ll. 3 – 5

(emphasis added). In this way, the NAT “determines which multi-media server (110, 112 or 114) to **process** the call.” *Id.* (emphasis added). Falck’s multi-media server is the **endpoint** of the call. As such, Falck does not disclose routing media **through** a VoIP network via a selected call signaling and media **proxy**.

This is particularly clear in view of claim 5, which recites, in part “further comprising relaying the call signaling information **through** the call signaling and media proxy **to** a **destination** VoIP network element.” In the Office action, the destination VoIP network element of claim 5 is asserted to be equivalent to Falck’s destination server. *Office action*, page 3. However, Falck’s destination server cannot be **both** the call signaling and media proxy of claim 1 **and** the destination VoIP network element of claim 5. The only logical conclusion is that Falck does not disclose a call signaling and media proxy server for routing media through a VoIP network as disclosed in claims 1, 19 and 22.

Claims 1, 19 and 22 are believed to be allowable, and such allowance is requested. Because claims 2 – 18, 20 – 21, and 23 – 27 depend from claims 1, 19 and 22 respectively, the dependent claims are believed to be allowable also.

Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 11, 12, 20, 23, 24, and 25 under 35 U.S.C. § 103(a) as being unpatentable over Falck in view of Lee, U.S. Patent No. 7,047,561 (“Lee”). The Applicant respectfully traverses the rejection for at least the following reasons.

The Examiner has also rejected claims 15 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Falck in view of Chopra, et al., U.S. Patent No. 6,510,509 (“Chopra”). The Applicant respectfully traverses the rejection.

Applicant has reviewed Lee and Chopra and can find no disclosure or reasonable suggestion of the elements of claims 1, 19 and 20 that Falck fails to disclose or reasonably suggest. As such, dependent claims 11, 12, 20, 23, 24 and 25 are believed to be allowable for at least the same reasons as their respective base claims.

Conclusion

Claims 1 – 27 are currently pending in the application. Applicant has fully responded to each and every objection and rejection in the Office action dated January 22, 2007 and believes

that claims 1 – 27 are in a condition for allowance. Applicant therefore requests that a timely Notice of Allowance be issued in this case.

The Applicant believes no fees or petitions are due with this filing. However, should any such fees or petitions be required, please consider this a request therefor and authorization to charge Deposit Account No. 50-3199 as necessary.

If the Examiner should require any additional information or amendment, please contact the undersigned attorney. If the Examiner believes any issues could be resolved via a telephone interview, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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